

State office machine repairs
(HB 2376, by Presnal)

DIGEST: This bill would have prohibited the State Purchasing and General Services Commission from repairing any equipment with electronic data-processing or word-processing capabilities.

GOVERNOR'S
REASONS
FOR VETO:

This bill limiting the types of office machines the State Purchasing and General Commission can repair is not in the best interest of the state. This type of equipment is the wave of the future in office equipment and is being acquired at a rapid pace by state agencies.

SPONSOR'S
VIEW:

Rep. Presnal said that the Governor misunderstood the legislation. Presnal said that under current law the State Purchasing and General Services Commission has a mandate to repair all office machines, including data-processing and word-processing equipment. These new machines are not "standardized" and the State Purchasing and General Services Commission may not be capable of repairing these machines. It makes more sense at this point, he said, to have experts familiar with these various machines work on them; it would be more economical than training state employees to repair machines that have not been standardized.

Llano County auditor
(HB 2393, by B. Barton)

DIGEST: The bill would have permitted Llano County to hold an election to abolish the office of county auditor. If the voters abolished the position, the county commissioners, with the approval of the local district judge or judges, would have been required to hire a private accounting firm to audit the county's books. The bill would have allowed county commissioners to call an election to reinstate the office of county auditor.

GOVERNOR'S
REASONS
FOR VETO:

The Governor said the bill was an unconstitutional local and special law. In the 1974 case of Culbertson County v. Holmes, the Texas Court of Civil Appeals in El Paso held it was unconstitutional for the Legislature to pass a statute authorizing an election to abolish the office of county auditor in Culbertson County.

SPONSOR'S
VIEW:

Rep. Barton said that the bill might indeed be unconstitutional, but that he had had the Legislative Council draw it up and they had not pointed out any constitutional defect. The pertinent language in the Constitution (Art. 3, sec. 56) is very general; under the Governor's interpretation many local laws passed by the Legislature could be ruled unconstitutional. Barton said the Governor's office did not notify him of the intent to veto. Abolishing the auditor's office would save Llano County \$15,000 per year.

NOTES:

VACS art. 1654 requires that any county with a population of 10,000 or more must appoint a county auditor. Llano County, according to the 1980 census, had a population of 10,144, prior to 1980, Llano County County's population was under 10,000.

County-court-at-law for Jefferson County
(HB 2445, by Collazo)

DIGEST:

The bill would have created County Court-at-Law No. 4 in Jefferson County, to be located in Port Arthur. The court would have been created on Jan. 1, 1986, or an earlier date determined by order of the Jefferson County Commissioners Court.

GOVERNOR'S
REASONS
FOR VETO:

The Jefferson County Commissioner's Court did not request creation of this court. The county judge and three of the four county commissioners asked that the bill be vetoed since the county has neither the physical facilities nor the fiscal means to support a new county-court-at-law.